

### **REMARKS**

This paper is responsive to the Advisory Action mailed November 19, 2008.

No claims are amended, no claims are canceled, and no claims are added; as a result, claims 8-53 remain pending in this application with claims 28-53 standing withdrawn.

#### **Response to Examiner's Remarks in Advisory Action**

In the Advisory Action dated November 19, 2008, the Examiner continues to rely on U.S. Application Publication No. 2003/0052098 A1 to Kim *et al.* (hereinafter, "Kim") for allegedly disclosing a coolant. Specifically, the Examiner states, in pertinent part, that: "...Use of coolant for cooling is very well known and the use of the coolant supply device of Kim for minimizing a thermal effect would have been obvious." (Advisory Action at page 2). Applicants disagree with the Examiner's rejections based upon Kim. Reconsideration of the present application is therefore requested in light of the following remarks.

Applicants remind the Examiner that he is obligated to ascertain "...the differences between the prior art and the claims at issue...[by] considering *both the invention and the prior art as a whole*..." (MPEP §2141.02; emphasis added). Specifically, Applicants submit that the Examiner has failed to explain *why* the differences between the prior art and the claimed embodiments would have been obvious to one skilled in the art. Kim is *not* directed to cooling a substrate in order to *reduce a thermal effect*. Instead, Kim is directed to a method and apparatus for *cutting* a substrate using a coolant.

Various portions of Kim specifically disclose that the coolant is employed to cool a rapidly heated portion of a substrate to promote the development of thermal stresses in a substrate. For example, the Examiner is directed to the Abstract, which substantially discloses this. Kim further discloses at paragraph [0010] that "...a cutting method using thermal stress...[is proposed]...in which a glass substrate is rapidly heated and cooled *to cut* a selected portion..." (Emphasis added). The substrate is therefore cut using the thermal stress. Moreover, paragraph [0011] states that "...the cutting method using the thermal stress...is different from the diamond cutting method...". Paragraph [0020] further discloses that "The invention also provides a method of cutting the glass substrate *using a thermal stress*..." (Emphasis added).

Clearly, the foregoing citations from Kim indicate that the application of a coolant is not directed to reducing a thermal effect, but instead, are intended *to promote a thermal effect* (e.g., cracking of the substrate). Clearly, therefore, the teaching in Kim is directed to a different problem. Applicants therefore reiterate that Kim clearly *teaches away* from the various presently claimed embodiments, specifically because it necessarily promote a thermal effect.

#### Reservation of Rights

In the interest of clarity and brevity, Applicant may not have addressed every assertion made in the Office Action. Applicant's silence regarding any such assertion does not constitute any admission or acquiescence. Applicant reserves all rights not exercised in connection with this response, such as the right to challenge or rebut any tacit or explicit characterization of any reference or of any of the present claims, the right to challenge or rebut any asserted factual or legal basis of any of the rejections, the right to swear behind any cited reference such as provided under 37 C.F.R. § 1.131 or otherwise, or the right to assert co-ownership of any cited reference. Applicant does not admit that any of the cited references or any other references of record is relevant to the present claims, or that they constitute prior art. To the extent that any rejection or assertion is based upon the Examiner's personal knowledge, rather than any objective evidence of record as manifested by a cited prior art reference, Applicant timely objects to such reliance on Official Notice, and reserves all rights to request that the Examiner provide a reference or affidavit in support of such assertion, as required by MPEP § 2144.03. Applicant reserves all rights to pursue any cancelled claims in a subsequent patent application claiming the benefit of priority of the present patent application, and to request rejoinder of any withdrawn claim, as required by MPEP § 821.04.

**CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's representative at (612) 349-9587 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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11/26/08

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**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 26, 2008.

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